

sent to offer a motion in writing, and there was objection.

Senator Gibson here moved to suspend the pending business, S. B. No. 6, for the purpose of his presenting a concurrent resolution, and moved the previous question on the motion.

The Senate refused to order the previous question.

Pending discussion, Senator Gibson withdrew the motion to suspend the pending business and asked unanimous consent to offer the resolution, but there was objection. He then renewed the motion to suspend the pending business, which motion was lost by the following vote:

Yeas—9.

Bailey of Harris.	Morrow.
Clark.	Real.
Cowell.	Terrell.
Gibson.	Townsend.
Johnson.	

Nays—16.

Astin.	Hudspeth.
Bailey of DeWitt.	Lattimore.
Carter.	McNealus.
Collins.	Taylor.
Conner.	Warren.
Darwin.	Westbrook.
Greer.	Wiley.
Hall.	Willacy.

Present—Not Voting.

McGregor.	Nugent.
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Absent.

Brelsford.	Watson.
Harley.	

ADJOURNMENT.

Pending discussion, Senator McNealus, at 12:15 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning, which motion was adopted.

FOURTEENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, September 9, 1914.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Warren.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Bailey of DeWitt."
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Bailey of Harris.	Lattimore.
Brelsford.	McGregor.
Carter.	McNealus.
Clark.	Morrow.
Collins.	Nugent.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Hall.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.
Johnson.	

Absent.

Watson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Carter.

EXCUSED.

On account of important business:
Senator Astin, for non-attendance, on last Saturday and Monday, on motion of Senator Terrell.

BILLS AND RESOLUTIONS.

Senator Gibson offered the following resolution:

S. C. R. No. 5: Whereas, The Legislature was called for the purpose of passing a warehouse bill to relieve the emergency situation brought about by the European wars, whereby the market for the cotton crop has been materially impaired; and

Whereas, Both houses have passed an emergency warehouse bill which is intended to relieve the situation, thereby discharging the duty imposed upon them; now, therefore, be it

Resolved, That the Senate, the House concurring, set Wednesday, September 17th, 12 o'clock m., as date for adjournment sine die.

The resolution was read, and

Senator Gibson moved that it be laid on the table subject to call.

Senator McNealus moved, as a substitute, that the resolution be tabled.

The substitute motion was adopted.

SIMPLE RESOLUTION.

By Senator Brelsford:

Resolved, That Miss Marie Scarborough be selected as the appointee to do stenographic work in the Senate by the Sen-

ator from El Paso, and that her per diem begin from this date.

The resolution was read and adopted.

Morning call concluded.

SIMPLE RESOLUTION.

Senator Willacy called up, from the table, a simple resolution, introduced by him on Monday, dealing with moratorium legislation and best methods of handling present crisis in the cotton market, etc.

Senator Willacy offered the following amendment, which was read and adopted:

Amend the resolution by striking out the word "may" in line 33, page 123 of the Senate Journal of September 7, and substitute in lieu thereof the words "can not," and by striking out the word "but" in line 33 and substitute in lieu thereof the word "and."

Pending discussion, Senator Bailey of DeWitt made the point of order that the resolution was not germane for consideration since the subject matter of same had not been submitted by the Governor.

The Chair overruled the point of order.

After discussion the resolution was adopted.

SENATE BILL NO. 6.

(Pending Business.)

Action recurred on Senate bill No. 6, pending at adjournment yesterday, and the Chair laid same before the Senate.

Senator Clark offered the following motion in writing:

I move that Senate bill No. 6 be re-committed.

Senator Clark moved the previous question on the motion, and the same being duly seconded was so ordered.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, September 9, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 4, Relieving the cotton situation.

H. C. R. No. 6, Providing for paying claims for printing Journals, etc.

Also, the House does not concur in Senate amendments to House bill No. 1, and requests a Free Conference Committee. The following members on the part of the House have been appointed: Calvin, Hill, Wortham, Rowell, and Tillotson.

Respectfully,

W. R. LONG,
Chief Clerk, House of Representatives.

HOUSE BILL NO. 1—FREE CONFERENCE COMMITTEE ON.

Senator Gibson offered the following motion:

I move that the request of the House for a Free Conference Committee to adjust the differences between the House and the Senate on House bill No. 1 be granted, and that the following be elected to serve as the committee on the part of the Senate: Warren, Willacy, Collins, Hudspeth, Carter.

Senator Lattimore offered the following substitute for the above motion:

I move that the request of the House for a Free Conference Committee on House bill No. 1 be granted and that the Secretary of the Senate be instructed to cast the ballot of the Senate for the following members of the Senate as members of such committee: Warren, Willacy, Collins, Nugent, Wiley.

Senator Clark moved to table the substitute, which motion was adopted by the following vote:

Yeas—12.

Bailey of Harris.	Hudspeth.
Clark.	Johnson.
Conner.	Real.
Gibson.	Terrell.
Hall.	Townsend.
Harley.	Westbrook.

Nays—10.

Astin.	Greer.
Bailey of DeWitt.	Lattimore.
Brelsford.	McGregor.
Cowell.	Morrow.
Darwin.	Nugent.

Present—Not Voting.

Carter.	Warren.
Collins.	Wiley.
McNealus.	Willacy.
Taylor.]	

Absent.

Watson.

Action recurred on the original mo-

tion by Senator Gibson, and the same was adopted.

Senator Lattimore made the point of order that the adoption of the above motion did not carry with it the election of the Free Conference Committee, but that it would require further action.

The Chair overruled the point of order.

OPINION BY CHAIR ON SENATE BILL NO. 9.

Senator Westbrook here asked the Chair for a ruling on the status of an amendment to S. B. No. 9, and made the following statement:

S. B. No. 9, being before the Senate on Friday, Senator Watson offered an amendment providing that the bill be amended by "striking out all after the enacting clause and insert in lieu thereof the following," which was, in reality, H. B. No. 1, the emergency warehouse bill; that following that action he (Senator Westbrook) offered, and had adopted, an amendment. On Monday, by motion of Senator Darwin, the Senate rescinded the vote by which the Watson amendment was adopted, and the (Watson) amendment tabled. The Chair was requested for an opinion as to whether or not the rescinding and tabling the Watson amendment carried with it the Westbrook amendment.

The Chair held that, since the amendment by Senator Westbrook had been adopted after the Watson amendment, which was a substitute for the original S. B. No. 9, the rescinding the vote by which it was adopted, and then tabling the amendment, would also carry with it the amendment by Senator Westbrook.

SENATE BILL NO. 6.

Action recurred on S. B. No. 6, the question being, acting under previous question, on the motion by Senator Clark to recommit the bill.

The motion was adopted by the following vote:

Yeas—17.

Carter.	Lattimore.
Clark.	Morrow.
Collins.	Real.
Conner.	Terrell.
Darwin.	Warren.
Greer.	Westbrook.
Hall.	Wiley.
Harley.	Willacy.
Johnson.	

Nays—8.

Astin.	Cowell.
Bailey of DeWitt.	Gibson.
Bailey of Harris.	McGregor.
Brelsford.	Townsend.

Present—Not Voting.

McNealus.	Taylor.
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Absent.

Hudspeth.	Watson.
Nugent.	

EXECUTIVE SESSION—TIME SET FOR.

Senator Taylor moved that the Senate go into executive session today at 3 o'clock p. m. for the purpose of considering appointments sent to the Senate by the Governor, except Notaries Public.

The motion was adopted.

HOUSE CONCURRENT RESOLUTION REFERRED.

The Chair had referred, after its caption had been read, the following resolution:

H. C. R. No. 6, referred to Finance Committee.

SENATE BILL NO. 5.

The Chair laid before the Senate, on second reading and regular order,

S. B. No. 5, A bill to be entitled "An Act creating a Department of Co-operative Cotton Marketing to be located at Austin, Texas, providing for necessary office room, equipments, examiners and clerical assistants; providing for the appointment of a Commissioner to be known as the Commissioner of Co-operative Cotton Marketing; providing for the organization of co-operative cotton marketing associations; prescribing duties of the Commissioner of Co-operative Cotton Marketing; defining the business of a co-operative cotton marketing association; providing for the general administration of the Department of Co-operative Cotton Marketing and of co-operative cotton marketing associations; providing for the appointment of examiners to examine said associations; imposing certain restrictions on the business of co-operative cotton marketing; creating

a guaranty fund; providing for liquidation of co-operative cotton marketing associations; providing for the issuance of participating certificates to be issued by co-operative cotton marketing associations; providing penalties; repealing all laws in conflict, and declaring an emergency."

RECESS.

On motion of Senator Darwin, the Senate, at 11:55 o'clock a. m., recessed until 3 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Warren.

EXECUTIVE SESSION POSTPONED.

The time, 3 o'clock p. m., having arrived for the Senate to go into executive session, which time had been set for the Senate to hold executive session for the purpose of considering appointments by the Governor.

Senator Hudspeth moved that the time for the executive session be postponed until 4 o'clock today, which motion was adopted.

(Senator Lattimore in the chair.)

SENATE BILL NO. 5.

Action recurred on the pending business, Senate bill No. 5.

Pending discussion, Senator Astin made the point of order that the provisions of the bill did not comply with the provisions of the proclamation of the Governor submitting the matter of warehouse legislation to the Legislature; that it was a cotton marketing measure and not a cotton warehouse measure.

The Chair (Senator Lattimore) sustained the point of order, holding, however, that it would be in order for the bill to be amended so as to comply with the provisions of the Governor's call.

Senator Wiley offered the following amendment:

Amend the caption of the bill as follows: Page 1, line 7, by inserting after the word "creating" the following: "a system of public bonded warehouses and."

The above amendment was read and

Senator Astin made the point of order that the bill could not be amended so as to change the purposes of the bill, etc., and since it had been held that the bill was not germane to the call of the Governor.

The Chair withheld a ruling on the point of order, pending further amendments.

Action recurred on the amendment, and Senator Astin moved to table same, which motion to table was lost by the following vote:

Yeas—4.

Astin.	Johnson.
Hall.	Terrell.

Nays—16.

Bailey of Harris.]	Harley.
Brelaford.	McGregor.
Clark.	McNealus.
Conner.	Real.
Cowell.	Taylor.
Darwin.]	Townsend.
Gibson.	Westbrook.
Greer.	Wiley.

Present—Not Voting.

Lattimore.	Warren.
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Absent.

Bailey of DeWitt.	Morrow.
Carter.	Nugent.
Collins.	Watson.
Hudspeth.	Willacy.

The hour having arrived for executive session, 4 o'clock p. m., Senator Warren moved that the holding of the executive session be postponed until 5 o'clock today, which motion was adopted.

Action recurred on S. B. No. 5, the question being on the pending amendment, and the same was adopted.

Senator Real moved that the Senate recess until 5 o'clock today, which motion was adopted.

AFTER RECESS.

At 5 o'clock p. m. the Senate was called to order by President Pro Tem. Warren.

IN EXECUTIVE SESSION.

The Chair here announced that the hour, 5 o'clock p. m., had arrived, which time the Senate had designated to hold executive session. The Senate accordingly resolved itself into executive session.

In executive session the following confirmations were had:

To be Judge of the Special District Court of the Fifth Judicial District—W. T. Armistead of Marion county.

To be Judge of the Seventy-third Judicial District—W. F. Ezzell of Bexar county, to fill vacancy.

To be Judge of the Fifty-ninth Judicial District—M. H. Garnett of Collin county, to fill vacancy.

To be Judge of the Seventh Judicial District—Barney Briggs of Upshur county, to fill vacancy.

To be Criminal District Attorney for Harris county—Clarence Kendall of Harris county.

To be District Attorney of the Eighth Judicial District—Mayo W. Neyland of Hunt county.

To be members of various governing boards of educational and eleemosynary institutions, to fill vacancies for unexpired terms, as shown by their commissions:

To be members of the Board of Regents of the University of Texas: Will C. Hogg of Harris county, David Harrell of Travis county and J. W. Graham of Travis county.

To be member of the Board of Managers for the Confederate Home—W. M. Walton of Travis county.

To be members of the Board of Managers for the Confederate Woman's Home—James Keeble of Travis county and Pete Lawless of Travis county.

To be members of the Board of Trustees for the Deaf and Dumb Institute—Ike D. White of Travis county, Wm. Bohn of Travis county and A. W. Pfluger of Travis county.

To be member of the Board of Managers for the State Orphan Home at Corsicana—W. B. Gray of Navarro county.

To be member of the Board of Managers for the State Lunatic Asylum at Austin—Peter Schramm of Williamson county.

To be member of the Board of Managers for the Southwestern Insane Asylum at San Antonio—Atlee B. Ayres of Bexar county.

To be members of the Board of Regents for the State Normal Schools—Sam Sparks of Travis county and J. S. Kendall of Dallas county.

To be member of the State Board of Pharmacy—W. H. Cousins of Wichita county.

To be member of the State Board of Medical Examiners—Dr. E. M. Woods of Williamson county.

To be member of the Board of Pilot Commissioners for the Sabine-Neches Canal—Robert Morgan, Jr., of Orange county.

To be member of Governing Board of the Agricultural Experiment Stations—W. A. Tynes of Delta county.

To be member of the Industrial Accident Board—Jos. D. Sayers of Travis county, W. J. Moran of Tarrant county and O. P. Pyle of Bell county.

To be Dairy and Pure Food Commissioner—Claude O. Yates of Travis county.

To be member of the State Fire Insurance Commission—S. Wallace Inglish of Cooke county.

To be members of Board of Water Engineers—J. C. Nagle of Brazos county for the six year term, Jno. Wilson of Ward county for the four-year term and E. B. Gore of Hidalgo county for the two-year term.

ADJOURNMENT.

On motion of Senator Carter, the Senate, at 6:40 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

PETITIONS AND MEMORIALS.

Senator Lattimore presented a petition from citizens of Parker county requesting that the Legislature pass "stay" law for a period of twelve months.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, September 9, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared

S. B. No. 9, A bill to be entitled "An Act to amend Chapter 37 of the General Laws, enacted by the Thirty-third Legislature, First Called Session, July 21 to August 19, A. D. 1913, providing for the conduct of the business of a public warehouseman, describing what constitutes such warehouse and defining what shall be held to be public warehousemen; providing that all persons, firms, and corporations, or associations of persons shall obtain a permit

of authority from the Commissioner of Insurance and Banking, and defining the requisites of said permit, providing a bond for the public warehousemen; and providing that such public warehousemen shall issue negotiable and non-negotiable receipts for property stored in such warehouses, and vesting the supervision of such public warehouses in the Commissioner of Insurance and Banking, and defining his duty with reference to such warehouses, and directing said Commissioner to prescribe uniform public warehouse receipts for cotton; and requiring that any incumbrance on cotton stored in public warehouses shall be disclosed in the endorsement on the back of such negotiable receipt or certificate, and providing a penalty for failure to truthfully disclose such facts; preventing public warehousemen, by provisions inserted in their receipts, from limiting their liability under the law; providing for the negotiability of receipts issued; providing a penalty for public warehousemen who violate the provisions of this act; providing the conditions under which private warehousemen may conduct such business, and declaring an emergency."

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, September 8, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate.

Sir: Your Committee on Commerce and Manufacturers, to whom was referred

S. B. No. 10, A bill to be entitled "An Act prohibiting the operation of a corporation for the dual purpose of owning, controlling, or operating a cottonseed oil mill, and of owning, controlling, or operating a public cotton gin; also prohibiting a corporation chartered for the purpose of operating a cottonseed oil mill, from owning, controlling or operating, directly or indirectly, a public cotton gin in this State; providing suitable penalties, forfeitures, and procedure for enforcing this act; prohibiting any interference with or restricting competition in the sale, handling, or marketing of cotton seed; giving all corporations engaged in the business of operating cottonseed oil mills, that now own, control or operate public gins nine months from the taking effect of this act, to sell or otherwise dispose of their gin properties and in-

terests, punishing domestic and foreign corporations having no legal authority or permit to do a ginning or cottonseed oil mill business to be in any manner interested therein in this State, or to own stock or any interest in any corporation, foreign or domestic, or joint stock association or partnership, so engaged; providing penalties, punishments, and procedure for all corporations and persons violating this act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

COLLINS, Chairman.

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, September 10, 1914.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Warren.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Harley.
Bailey of DeWitt.	Hudspeth.
Bailey of Harris.	Johnson.
Brelsford.	Lattimore.
Carter.	McGregor.
Clark.	McNealus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Westbrook.
Hall.	Wiley.

Absent.

Willacy.

Absent—Excused.

Morrow.
Nugent.

Watson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson.

EXCUSED.

On account of sickness:

Senator Morrow, indefinitely, on motion of Senator Harley.